

United States District Court

for the
Western District of New York

United States of America

v.

DIMAS BONERGE AGUILAR MEDINA

Defendant



Case No. 25-mj-5104

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 13, 2025, in the County of Erie, in the Western District of New York, the defendant, an alien, was found in the United States, after previously being removed or deported from the United States, without prior authorization or approval from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Sections 1326(a).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Michael Scioli

Complainant's signature

MICHAEL SCIOLI
SPECIAL OPERATION SUPERVISOR
UNITED STATES BORDER PATROL

Printed name and title

Sworn to before me and signed telephonically.

Date: April 17, 2025

Michael J. Roemer

Judge's signature

City and State: Buffalo, New York

HONORABLE MICHAEL J. ROEMER
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

Michael A. Scioli , being duly sworn, deposes and says that:

1. I am a Border Patrol Agent with the United States Border Patrol (“Border Patrol”), and have been so employed for Twenty-two years. As a part of my duties, I have investigated violations of the Immigration and Nationality Act and violations of the United States Code, particularly Title 8, United States Code, Section 1326(a) (Re-entry of Removed Aliens).

2. I make this Affidavit in support of the annexed Criminal Complaint charging DIMAS BONERGE AGUILAR-MEDINA with a violation of Title 8, United States Code, Section 1326(a) (Re-entry of Removed Aliens). The affidavit is based upon my own knowledge, my review of official records of the former Immigration and Naturalization Service (“INS”) and current Immigration & Customs Enforcement (“ICE”), and upon information that I obtained from other law enforcement officers involved with this investigation.

3. Since this affidavit it is submitted for the limited purpose of obtaining a Criminal Complaint, I have not included every fact known to me concerning this investigation. I have set forth only facts that I believe are necessary to establish probable cause to demonstrate that

Title 8, United States Code, Section 1326(a) has been violated by DIMAS BONERGE AGUILAR-MEDINA.

4. On April 13th, 2025, Buffalo Border Patrol Station Agents responded to a call for assistance from the Erie County Sherriff's Department. Erie County Sherriff's Deputies had detained two subjects in Springville, New York and relayed the subject's biographical info to the Bufalo Sector Integrated Border Communications Center (IBCC). The Buffalo Sector IBCC conducted record checks on both subjects and found one subject, DIMAS BONERGE AGUILAR-MEDINA, to be a citizen and national of Honduras and illegally present in the United States after previously been removed from the United States.

5. Border Patrol agents arrived on scene and reviewed DIMAS BONERGE AGUILAR-MEDINA passport and positively identified DIMAS BONERGE AGUILAR-MEDINA from the record checks. Agents arrested DIMAS BONERGE AGUILAR-MEDINA and transported him back to the Buffalo Border Patrol Station for further investigation.

6. At the Buffalo Border Patrol Station, Border Patrol Agents conducted an inventory search of AGUILAR's property and searched the subjects' fingerprints through law enforcement databases.

7. Record checks associated with AGUILAR's fingerprints revealed the following facts:

- a) AGUILAR is a native and citizen of Honduras.
- b) On December 17, 2015, AGUILAR was order removed by a designated Immigration Official at McAllen, Texas.
- c) On January 15, 2016, AGUILAR was removed from the United States through the New Orleans, Louisiana Port of Entry.

8. Additionally, there is no evidence that AGUILAR had any authorization or approval from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, to re-enter the United States after his last removal.

9. Based on the foregoing, I have probable cause to believe that DIMAS BONERGE AGUILAR-MEDINA, an alien, has illegally entered the United States at a time and place other than as designated by immigration officers and without inspection by immigration officers, having re-entered the United States after being ordered removed, without the requisite permission from the Attorney General of the United States or the Secretary for the Department of Homeland Security, in violation of Title 8, United States Code Section 1326(a).

Michael Scioli

Michael A. Scioli
Special Operation Supervisor
U.S. Border Patrol

Subscribed and sworn to before me telephonically
on this 17th day of April, 2025.


HONORABLE MICHAEL J. ROEMER
United States Magistrate Judge